

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DARNELL W. MOON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:21-cv-00808-SRW
	)	
ANTHONY J. DEBRE, et al.,	)	
	)	
Defendants,	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff Darnell Moon’s motion to dismiss his case, which has been construed as a notice of dismissal pursuant to Fed. R. Civ. P. 41(a). (Docket No. 5). In the motion, plaintiff states that this lawsuit was not supposed to be opened in this Court, but rather in the 22<sup>nd</sup> Judicial Circuit Court of St. Louis City. Having reviewed the motion, the Court finds that it should be granted. Therefore this action will be dismissed without prejudice. This dismissal will not count as a “strike” under 28 U.S.C. § 1915(g). All additional pending motions will be denied as moot.

Accordingly,

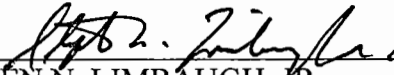
**IT IS HEREBY ORDERED** that plaintiff’s motion for voluntary dismissal (Docket No. 5) is **GRANTED**.

**IT IS FURTHER ORDERED** that this action is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

**IT IS FURTHER ORDERED** that plaintiff’s motions for leave to proceed in forma pauperis (Docket No. 2) and for service at government expense (Docket No. 3) are **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that an appeal from this dismissal would not be taken in good faith.

Dated this 27<sup>th</sup> day of July, 2021.

  
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STEPHEN N. LIMBAUGH, JR.  
SENIOR UNITED STATES DISTRICT JUDGE